



MEETING OF THE CITY COUNCIL

Agenda

Stephen C. Padilla, Mayor

Patricia E. Chavez, Councilmember
John McCann, Councilmember
Jerry R. Rindone, Councilmember
Steve Castaneda, Councilmember

Jim Thomson, Interim City Manager
Ann Moore, City Attorney
Susan Bigelow, City Clerk

September 26, 2006
6:00 P.M.

Council Chambers
City Hall
276 Fourth Avenue

CALL TO ORDER

ROLL CALL: Councilmembers Castaneda, Chavez, McCann, Rindone, and Mayor Padilla

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- OATHS OF OFFICE
Jolyn DePriest, Human Relations Commission
Kathleen Marshall, International Friendship Commission
William Canedo, Nature Center Board of Trustees
Patricia Moriarty, Safety Commission

DID YOU KNOW...THAT CHULA VISTA HAS A NEW MULTI-FAMILY RECYCLING PROGRAM? Presented by Lynn France, Conservation Coordinator, General Services Department. (Continued from September 19, 2006).

CONSENT CALENDAR
(Items 1 through 5A)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or City staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.

1. ORDINANCE OF THE CITY OF CHULA VISTA DESIGNATING THE APPOINTING AUTHORITY FOR THE POSITION OF INTERGOVERNMENTAL AFFAIRS COORDINATOR IN THE DEPARTMENT OF MAYOR AND COUNCIL (SECOND READING)

Adoption of this ordinance will designate appointing authority for the position in the Department of Mayor and Council as the Mayor and Council collectively. This ordinance was introduced on September 19, 2006) (City Attorney)

Staff recommendation: Council adopt the ordinance.

2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, REJECTING BIDS DUE TO DISPARITIES IN THE BID PROPOSAL, AND AWARDED CONTRACT FOR "THIRD AVENUE SIDEWALK IMPROVEMENTS, BETWEEN "D" STREET AND FOURTH AVENUE, IN THE CITY OF CHULA VISTA, CA (STL-299)" PROJECT, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT, AND AUTHORIZING THE EXPENDITURE OF THE AVAILABLE CONTINGENCIES FOR THE PROJECT

On September 13 2006, the General Services Director received and opened sealed bids for this project. The work to be done consists of the construction of the missing curb, gutter and sidewalk along the west side of Third Avenue between "D" Street and Fourth Avenue. Other appurtenant work associated with this project includes cross-gutter, driveway, pedestrian ramps, street pavement, retaining walls, storm drain and various site specific improvements to restore properties and existing improvements affected by the project construction to an equal or better than condition. (General Services Director)

Staff recommendation: Council adopt the resolution.

3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING ADDITIONAL HOMELAND SECURITY GRANT FUNDS FOR THE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM FOR THE YEARS 2004 AND 2005, AND AMENDING THE FISCAL YEAR 2006/2007 EMERGENCY SERVICES SUPPLIES AND SERVICES BUDGET BASED UPON UNANTICIPATED REVENUES (4/5THS VOTE REQUIRED)

The City of Chula Vista recently submitted two requests to the California Office of Homeland Security to transfer grant funds from the Quartermaster purchasing system to the City of Chula Vista based upon significant issues with being able to purchase much needed homeland security equipment in a cost-effective and timely manner. Adoption of the resolution accepts the additional grant funds, and amends the Fiscal Year 2006/2007 Emergency Services, Supplies and Services budget by appropriating \$90,873 for the Law Enforcement Terrorism Prevention Program. (Information Technology Services Director)

Staff recommendation: Council adopt the resolution.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$410,731 FROM THE OFFICE OF TRAFFIC SAFETY FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM, ADDING ONE POLICE AGENT, AND APPROPRIATING FUNDS THEREFOR (4/THS VOTE REQUIRED)

The Police Department received funding from the Office of Traffic Safety to develop and implement a program focusing on traffic enforcement strategies to reduce the number of persons killed and injured in traffic collisions. The funding will create a dedicated Agent position in the Traffic Unit to oversee the Selective Traffic Enforcement Program (STEP). (Police Chief)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE FORMAL BIDDING PROCESS AS IMPRACTICAL AND AUTHORIZING THE CITY'S PURCHASING AGENT TO NEGOTIATE PURCHASE ORDERS DIRECTLY WITH HANSON AGGREGATES, INCORPORATED FOR PROCUREMENT OF AGGREGATE PRODUCTS TO COMPLETE STREET MAINTENANCE TASKS BY CITY CREWS

Adoption of the resolution waives the formal bidding process and authorizes the City's Purchasing Agent to negotiate purchase orders directly with Hanson Aggregates, Inc., as the only remaining aggregate supplier in the South Bay, for procurement of aggregate products to complete street maintenance tasks by Public Works Operations Crews. (Public Works Operations Director)

Staff recommendation: Council adopt the resolution.

- 5.A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING REQUESTS FROM BONITA BUSINESS AND PROFESSIONAL ASSOCIATION TO CONDUCT THE BONITAFEST AND BONITAFEST PARADE ON SATURDAY SEPTEMBER 30, 2006 AND WAIVING ASSOCIATED FEES FOR POLICE SERVICE AND TRANSIT BUS SERVICES

The Bonitafest Committee and its sponsoring organization, the Bonita Business and Professional Association (BBPA), is requesting permission to conduct the 34<sup>th</sup> Annual Bonitafest on Saturday, September 30, 2006. (Police Chief)

Staff recommendation: Council adopt the resolution.

## **ITEMS REMOVED FROM THE CONSENT CALENDAR**

### **PUBLIC COMMENTS**

*Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.*

## **PUBLIC HEARINGS**

*The following items have been advertised as public hearings as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

### **6. CONSIDERATION OF AN AMENDMENT TO THE CHULA VISTA MUNICIPAL CODE TO ADD THE PROHIBITION OF SMOKING IN CITY PARKS**

The City Council asked staff to analyze the effects of smoking in City parks at the November 15, 2005 Council meeting. Furthermore, the Parks and Recreation Commission also independently asked staff to look at banning smoking in City parks. Based on staff's analysis, it is recommended that smoking be prohibited in City parks. (Public Works Operations Director).

Staff recommendation: Council open the public hearing and continue it to a date certain of October 10, 2006.

### **7. CONSIDERATION OF AN AMENDMENT TO THE CHULA VISTA MUNICIPAL CODE TO ADD THE REQUIREMENT FOR PHYSICIANS TO PROVIDE PROOF OF CURRENT MEDICAL LICENSE PRIOR TO ISSUANCE OF A CHULA VISTA BUSINESS LICENSE**

This public hearing was noticed for September 26, 2006. Staff is recommending that the public hearing be continued to a date certain of October 10, 2006 to allow additional review. (Planning and Building Director)

Staff recommendation: Council open the public hearing and continue it to a date certain of October 10, 2006.

## **ACTION ITEMS**

*The items listed in this section of the agenda will be considered individually by the Council, and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

### **8. UPDATE REPORT ON OTAY RANCH EASTERN URBAN CENTER SECTIONAL PLANNING AREA (SPA) PLAN**

The report will provide the City Council with an overview of the objectives for the Eastern Urban Center envisioned in the City's planning documents and an overview of the transportation systems, which are planned to serve the Eastern Urban Center. (Planning and Building Director)

Staff recommendation: Council accept the report.

**7:00 P.M.**

9. INTERVIEWS AND APPOINTMENT TO FILL VACANCY ON THE PORT COMMISSION

**OTHER BUSINESS**

10. CITY MANAGER'S REPORTS
11. MAYOR'S REPORTS
12. COUNCIL COMMENTS

Deputy Mayor McCann: Formation of Health Care Ad Hoc Committee to study the status of health care facilities and current services provided for the City of Chula Vista. (Continued from September 19, 2006).

**ADJOURNMENT** to the Regular Meeting on October 3, 2006 at 4:00 p.m. in the Council Chambers.

In compliance with the  
**AMERICANS WITH DISABILITIES ACT**

*The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service request such accommodation at least forty-eight hours in advance for meetings and five days for scheduled services and activities. Please contact the City Clerk for specific information at (619) 691-5041 or Telecommunications Devices for the Deaf (TDD) at (619) 585-5655. California Relay Service is also available for the hearing impaired.*